

**United States District Court
Western District of Michigan
Southern Division**

United States of America,

Plaintiff,

v.

Case No. 1:12-cr-17

Hon. Janet T. Neff
US District Judge

Babubhai Rathod, et al,

Defendants.

**DEFENDANT BABUBHAI RATHOD'S UNOPPOSED MOTION FOR LEAVE
TO FILE MOTION TO SUPPRESS EVIDENCE**

Now comes Defendant, Babubhai Rathod, by and through his attorneys, Myers Nelson Dillon & Shierk, PLLC, and respectfully requests that this Court grant him leave under Federal Rule of Criminal Procedure 12(e) to file a Motion to Suppress for the following reasons:

1. Defendant Rathod previously filed a Motion for Discovery and Additional Time for Filing Motions (Docket No. 184) (the *Previous Discovery Motion*).
2. The Previous Discovery Motion brought up issues related to the search warrants issued on January 19 and 20, 2012.
3. Defendants Rajesh Makwana and Clinton Cornell filed a Motion to Suppress and for a Hearing (Docket No. 190) (the *Co-Defendants' Suppression Motion*).

4. This Court has set a hearing on the Co-Defendants' Suppression Motion for November 5, 2012 along with a briefing schedule that requires a response brief from the government no later than October 23, 2012.

5. Attached as Exhibit A to the brief in support of this motion is Defendant Rathod's Motion to Suppress Evidence and brief in support of that motion. The Motion to Suppress Evidence and accompanying brief supplements and narrows the issues raised in the Previous Discovery Motion and the Co-Defendants' Suppression Motion.

6. For the reason stated in the accompanying brief filed in support of this motion, there is good cause to allow Defendant Rathod to file his attached Motion to Suppress Evidence and accompanying brief and participate in the scheduled evidentiary hearing on November 5, 2012.

In accordance with W.D. Mich. LCrR 12.4, undersigned counsel has conferred with Assistant United States Attorney Raymond Beckering III who has stated that he has no objection to the Court granting this present motion.

Date: October 11, 2012

Respectfully Submitted,

MYERS NELSON DILLON & SHIERK, PLLC

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